

THE HISTORY OF CALIFORNIA'S JAPANESE PROBLEM AND THE PART PLAYED BY

THE NATIVE SONS OF THE GOLDEN WEST IN ITS SOLUTION

by

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From the earliest days of its statehood California has had an Oriental problem. The Gold Rush brought not only men and women from the eastern and southern states and Europe, but in large numbers the Chinese came as well. At first the Chinese engaged in mining and they have left their imprint upon the Mother Lode section. There is the old town called Chinese Camp in Tuolumne County and the present high school at San Andreas, Calaveras County stands upon the site of a Chinese Joss House. After the mining period was over the Chinese turned to the city and soon became obnoxious because they worked for low wages and by so doing cheapened labor which was trying to raise its standard of living. The Chinese of the early days also contributed to vice and it was not long before there was a demand for their removal. In December 1861 Governor Leland Stanford recommended to the legislature the exclusion of the Chinese on the theory of their non-assimilability in a white man's state. In response to the demand of the people of California the Congress of the United States in due time enacted legislation which suspended Chinese immigration, and the Chinese who were here changed their economic standards and became an accepted part of the community.

In the Gold Rush era, when the Chinese came in such large numbers, the Japanese did not heed the call for gold for the reason that at that time Japan was still in the Tokugawa seclusion, that is to say Japan had at that time no intercourse with the outside world. In 1853 Commodore Perry brought about a re-opening of Japan. In 1867 the new Emperor, Meiji, inaugurated an era of economic progress and under his leadership the Japanese sought the aid of people in other parts of the world. In 1869, therefore, the first group of Japanese came to California and settled at Gold Hill, El Dorado County, where they engaged in a silk raising project. The United States Census for 1870 shows that there were only 55 Japanese in the entire United States at that time. Indeed the influx of Japanese began after 1882 in which year the Chinese were excluded. When the great Dominican friar, Bartolomeo Las Casas returned to Spain after visiting the New World he indignantly reported that the Indians were being enslaved. To remedy this situation the Spanish government ordered the Indians released and appropriated money to purchase negro slaves from Africa to do the agricultural work that the Indians had been forced to do. Thus, in much the same spirit, when those who wished to employ the Chinese immigrants could no longer get them because of the exclusion law they had recourse to the importation of the Japanese. The first to notice that the exclusion merely substituted one nationality of Oriental for another was Dr. C.C. O'Donnell who is reported to have coined the slogan, "The Japs must go!"

O'Donnell spoke in 1886. The Japanese continued to come. By 1890 there were 2,039 of them in California. In 1900 this had grown to 24,326, by 1910, 72,157 and by 1920 111,101. In 1932 Professor Ichihashi of Stanford University wrote a book in which he stated that the number of Japanese in California in 1930 was 97,000. This is true as far as native born Japanese are concerned. The fact of the matter, however, is that the children of these people considerably augment this number.

On May 7, 1900 a very learned Professor of Sociology at Stanford University, namely Dr. Edward Aylsworth Ross, delivered an address in San Francisco in which he strongly condemned Japanese coolie immigration. The following day the San Francisco Call quoted this address in part as follows,

And should the worst come to the worst it would be better for us to turn our guns on every vessel bringing Japanese to our shores rather than to permit them to land.

Ross condemned Japanese immigrants for four reasons. First he held that they were unassimilable secondly, that their low wages undermined the standards of labor; thirdly, that their standard of living was low, and fourthly, that they had a lack of political feeling for American democratic institutions. Three years prior to the delivering of this address Ross had been under fire for addresses on the silver question and Mrs. Stanford, greatly disturbed by what he had said concerning Japanese immigration brought about his dismissal from the faculty. Ross became professor at the University of Nebraska and later at the University of Wisconsin. He retired in 1936 at the age of 70 and

thereupon wrote the story of his life called Seventy Years of It. In 1928-29 he visited Japan and observed conditions there. He took particular note of the spirit of extreme nationalism which was developing and made the following prophetic statement, "From such rabid nationalisms will flow not rivers of blood, but seas and oceans of blood." (Ross, Seventy Years of It, p. 260)

In this same year (1900) that Professor Ross delivered his famous address the State Commissioner of Labor of California in his report recommended that the same policy of exclusion in effect against the Chinese be put into operation with respect to Japanese immigration. In the early months of the Spring of 1905 The San Francisco Chronicle ran a series of articles on the Japanese problem. Widespread attention to what they contained was attracted among labor circles with the result that on May 7th of that year the trades unions formed the Asiatic Exclusion League. The purposes of this organization were motivated by two considerations. First, the Japanese were opposed upon economic grounds (they were undermining labor standards). Secondly, the same treatment, namely exclusion, which had been applied to the Chinese was demanded for the Chinese and for the same reason.

In the City and County of San Francisco the Board of Education following the provision of the state school law which permitted the segregation of Orientals into special schools, had compelled the Chinese children of grammar school age to attend the Oriental School. Following the demand of labor that Japanese be accorded the same treatment as Chinese the San Francisco Board of Education in 1906 ordered the Japanese children to attend the Oriental School also. In those years the city administration of San Francisco was from the Union Labor Party. Prominent Native Sons who took part in this matter were Mayor Schmitz (Niantic Parlor), Board of Education Member Aaron Altman (Rincon Parlor) Abe Ruef (Grand Trustee) and James L. Gallagher (Past Grand President). President Theodore Roosevelt intervened telling the Board of Education that this was a problem in which the Federal Government had jurisdiction. The people of San Francisco, however, wanted the Japanese pupils segregated and in response thereto the Board of Education on October 11, 1906 re-enacted their rule which they had rescinded upon the representations made by Theodore Roosevelt. The President, however, was adamant and in January 1907 the Attorney General of the United States instituted two suits in Federal Court. One was a request for an injunction restraining the Board of Education from enforcing its rule. The other was a petition for a writ of mandate ordering the principal of one of the schools to accept the enrollment of a certain Japanese child. The Board of Education traveled to Washington and conferred with the President before the cases went to trial and as a result of what transpired rescinded the rule segregating Japanese pupils. Thus the Japanese won, but it was a legal rather than a moral victory. The people of California had been aroused and apprised of a situation that many of them had heretofore not been cognizant of.

Official Native Son interest in the problem began in 1907. In that year Grand Treasurer John E. McDougald introduced a resolution in the Grand Parlor calling for the exclusion of all Orientals. The resolution does not mention Japanese. The fact, however, that the Chinese were already excluded left the import of the action to be the exclusion of the Japanese. The reason ascribed in the preamble supporting the resolution was the economic inability of Orientals to adjust to American wage levels. This resolution was adopted. In 1908 at the Grand Parlor held at Yosemite Valley, Grand Organist Henry G.W. Dinkelspiel, an attorney of note and student of Far Eastern affairs through his relations with the government of Siam, proposed a resolution calling upon President Roosevelt and Secretary of the Navy Metcalf to retain the fleet or as large a portion of it as possible in Pacific Waters. This resolution which was introduced with the thought that a Japanese attack was imminent, was adopted by the Grand Parlor. In 1907 bills aimed against the Japanese were introduced in the California legislature but were withdrawn after President Roosevelt had written to Governor Gillett assuring him that the Federal government would take steps to redress the grievances of which the people of California were complaining.

On March 4, 1909 President Roosevelt was succeeded by William H. Taft who had had first hand experience with the Oriental question while he was Governor-General of the Philippines. Taft worked out with the representatives of the Japanese government what is known as "The Gentlemen's Agreement". This consisted of correspondence between the United States and Japan whereby the United States was assured that the Japanese government promised not to issue passports to coolie laborers. On February 21, 1911 President Taft made a Treaty with Japan. Article I of this treaty specifies that the citizens of both countries may reside in

the other country. Immigration is not mentioned. Taft preferred to rely upon the so-called "gentlemen's agreement." The fact of the matter was that the agreement was greatly violated. Jean Pajus, The Real Japanese California, p. 19 includes figures taken from a survey made in 1910 by the United States Immigration Department. This showed that 36.5% of the Japanese immigrants were farm hands, while an additional 8% were listed as farmers. Women and children constituted 15%. When the 44.5% who either as farm hands or farmers were engaged in agriculture was augmented with its quota of women and children it is safe to assume that over 50% of all the Japanese immigrants were engaged in farming. Because of this the anti-Japanese movement in California now assumed a new role, namely that of preventing these people from getting by ownership a control of the agricultural lands of the state.

In 1913 the legislature took up the matter of Japanese ownership of farm lands. One of the bills which was seriously considered was the Finnegan-Birdsall measure which provided that no alien could own land in California. The sponsor of this bill, Mr. George B. Finnegan, recently explained to the writer that he couched his measure in general terms fearing that war might break out with Japan if the bill were delimited to the ownership of land by the Japanese. The Finnegan Bill failed of passage, but a substitute measure known as the Webb-Heney Bill was adopted by both houses and signed by Governor Hiram Johnson. This bill provided that aliens ineligible to citizenship should be permitted to own land only to the extent that the treaty between the United States and the other nation affirmatively permitted and provided. As the treaty between the United States and Japan was silent on the matter of the ownership of farm lands it was assumed that the bill would achieve the desired result. The Japanese government protested vigorously against the enactment of the Webb-Heney Bill. President Wilson impressed with the pleas of Ambassador Chinda sent Secretary of State Bryan to California to address the legislature. He did so, but the California law makers did not heed his plea. Indeed Governor Johnson fearlessly answered him saying among other things, "It is not a question of whether Japan is offended to-day, but is she justly offended."

In 1913 President Wilson appointed as United States Commissioner-General of Immigration a great Californian. This was Hon. Anthony Caminetti of Jackson, Amador County, attorney, former member of the House of Representatives and former State Senator. Caminetti had the typical Californian point of view on the Japanese exclusion matter and brought this to the national office. He was a member of Amador Parlor No. 17 of Jackson and had been a member of many Grand Parlor. In 1914 the people of California elected as their United States Senator another great Californian in the person of James D. Phelan, patron of art, philanthropist, financier, former Mayor of San Francisco, and lover of California. Senator Phelan had observed the anti-Japanese movement very carefully and agreed that the Japanese should be excluded. Phelan was a member of Pacific Parlor No. 10 of San Francisco. In 1917 he succeeded in having the Congress vote an important amendment to the General Immigration Act, which amendment was signed by President Wilson. This provided that the Asiatic zone from which immigration to the United States would be barred should include "islands not owned by the United States adjacent to the coast of Asia."

In the meantime the people of California were not satisfied with the results of the Alien Land Law of 1913. The Japanese were still coming in and they were by legal technicalities evading the land law. Furthermore they were resorting to the importation of picture brides whom they married by correspondence. They were adopting children by correspondence and then bringing them to the United States as their own. They were organizing corporations to hold land. They were also purchasing land and putting the title in the name of their children born in the United States. In 1919 J. M. Inman of the California Oriental Exclusion League produced statistics showing that the Japanese controlled 92% of the bean crop of California; 90% of the celery; 82% of the asparagus; 79% of the seed crop; 66% of the onions; 63% of the cantaloupes; and 50% of the beet sugar crop. Mr. Inman showed further that the Japanese had colonized in four important agricultural regions, namely (1) in the rice district of Glenn, Colusa and Butte Counties, (2) the vegetable and fruit sections of Sutter and Placer Counties and the great river delta lands; (3) the fruit districts of Los Angeles and Orange Counties and (4) the cantaloupe and vegetable area of Imperial County. In the following year the State Board of Control rendered a report on the question. This was entitled California and the Oriental. A copy of this was sent to Secretary of State Bainbridge Colby by Governor Stephens on June 19, 1920. The Governor now officially recommended exclusion.

In this same year, 1920, an initiative measure was placed upon the ballot for the voters of California to accept or to reject. This amendment, which was adopted by a vote of 668,483 to 222,086, sought to strengthen the Alien Land Law of 1913. It corrected some of the discrepancies of the old law. For example it prevented not only the ownership of farm lands by the Japanese but also the leasing of farm lands by them. It also prevented the acquisition of property by native born Japanese minors, prohibited the forming of corporations to hold property for the Japanese, and abrogated the right of Japanese parents to be the guardians of property standing in the name of their minor children.

Professor Ichihashi of Stanford University in his book, Japanese in the United States, quotes on page 278 a colleague of his, namely Professor Payson Jackson Treat. In his book, Japan and the United States, Dr. Treat stated that the origin of the 1920 amendment to the Alien Land Law was purely political. He is cited in part here. (Treat, p. 281)

Its origin was purely political, for an important election was to be held in 1920, and a prominent candidate desired to make his campaign as the defender of California against the Japanese invasion.

The candidate referred to was no less a person than United States Senator James D. Phelan who was seeking re-election. Those who are familiar with the life of James D. Phelan will agree that whatever his faults may have been he was in no sense a political opportunist. James D. Phelan had studied the Japanese situation carefully and as a lover of his own, native state he saw in continued acquisition of land by the Japanese a serious menace. Senator Phelan was one of the first to show that if the Japanese were allowed to migrate to California in their established numbers, and once settled here continued to have the large families that characterized them, in a century there would be more Japanese in California than white people. Those who are familiar with modern European history are familiar with the word, irridenta, that is to say the movement under which governments claim territory on the theory that it should belong to them because their people are predominant there. Had the Japanese not been stopped California would have become a Japanese irridenta, a land on which Japan would have had a claim. After Senator Phelan had been defeated for re-election and was politically retired he continued to fight valiantly for Japanese exclusion, all of which proves that his interest was not political but was truly patriotic. Professor Payson Jackson Treat, in the opinion of the present writer, is guilty of serious error in the implication to be drawn from his book that Senator Phelan was motivated by political considerations on the Japanese question. And in the writer's opinion also, Yamato Ichihashi, Japanese-born Professor of History at Stanford, is in error by accepting Dr. Treat's quotation and including it in his book.

Commencing in 1920 the opposition to the Japanese took on a new aspect. Heretofore, the Japanese had been attacked upon the grounds that they did not assimilate well, that their standards of living were below that of the average American, and that they were a threat to the progressive improvement of labor, due to the low wages they would accept because of their low living standards. Farmers also felt that they could not compete with them. The new aspect was that Japan had changed her foreign policy. She had become an imperialistic nation. Her conduct in China during the World War, had shown that she sought to build an empire. In February 1921 Clarence M. Hunt, Editor of the Grizzly Bear, warned of this and about the same time a similar warning was issued by the Fresno Republican then under the editorship of Chester Rowell.

In 1919 the Grand Parlor provided for a Committee on Asiatic Matters. When the 1920 Grand Parlor Session convened Grand President Cabbu appointed the following members on this important committee, namely William I. Traeger of Los Angeles, J.W. Bates of Sacramento, Arthur K. Dam of Wheatland, Frank L. Hart of San Francisco, Joseph Berry of Courtland, William J. Dougherty of San Francisco and William R. Sharkoy of Martinez. The committee considered all of the resolutions referred to it and then recommended the adoption of two which contained in substance the ideas embraced in them all. Resolution No. 62 endorsed the movement to exclude the Japanese and Resolution No. 63 permitted Subordinate Parlors to actively engage in the exclusion movement. In 1921 the Grand Parlor adopted at Stockton Resolution No. 46, a very strong declaration of principles and pledging the Order to fight for Japanese exclusion. In 1922 the Grand Parlor adopted Resolution No. 44 which assailed Japanese immigration as a peaceful penetration and urging exclusion as the remedy. Resolution No. 24 introduced by Herman C. Lichtenberger was also adopted. This measure urged the Federal government not to reduce the Pacific fleet below the treaty provisions, because it would be needed in the event of an attack by Japan. At this same session the Grand Parlor voted to donate one

thousand dollars a year to the Oriental Exclusion League.

On September 8, 1923 the Board of Grand Officers on motion of Edward J. Lynch, seconded by Hilliard A. Welch, voted to donate \$1,000 for the Japanese Earthquake Relief. In addition to this action Grand President William J. Hayes called upon the Subordinate Parlor to contribute and a total of \$2,467 was received from them. Thus the total contribution of the Native Sons of the Golden West was \$3,467. This is cited here to show that the Native Sons of the Golden West were not opposed to the Japanese as Japanese, nor to the Japanese in Japan, nor to the Japanese as human beings, but to the Japanese as constituting a menace to the United States by (1) low economic standards, and (2) an imperialistic movement of peaceful penetration.

Following his defeat for re-election as United States Senator, James D. Pholan made extensive travels around the world. He visited Japan, as well as China, India and parts of Europe. Following his return to the United States he wrote the story of his journey which he published in book form under the title, Travel and Comment. One of my most cherished possessions is the autographed copy which he sent to my father who had served with him so many years on the Board of Directors of the Native Sons Hall Association. Attorney-General Warren recently recommended that the Japanese, native as well as alien, be removed from California for the duration of the war, and Lieutenant General De Witt, after making investigations of his own undoubtedly, was of the same opinion, and the Japanese have been excluded. Almost twenty years ago Pholan wrote in Travel and Comment p. 39;

It is well known that the schools which the Japanese maintain in America teach also Japanese imperialism, the divinity of the Mikado and the allegiance due him by all Nipponese at home or abroad. So really, the Japanese position to-day is to hold all its subjects in foreign lands to allegiance; to fight, if necessary, for the Mikado, and spurn the hand that feeds them; to economically drain a generous land and leave it open to its enemy. More than that, if its enemy be Japan, to not only give aid and comfort to the enemy, a treasonable offence everywhere - but to take up arms in its behalf. ... Under the Federal constitution, difficult to amend, let us assume that persons born on the soil are to become citizens. Then we should take hold of the young generation and train them in the way they should go. As I have shown, Tokio now directs their destiny.

To-day there is much talk about the fifth column activities of the Germans and Japanese. To show that Senator Pholan and those who worked with him in the Japanese Exclusion movement were well informed as to the sinister activities of what later proved to be the Axis partnership, Senator Pholan's words are again quoted, and it should be noted that this quotation was written twenty years ago, before the expression "fifth column" had been coined. (Pholan, Travel and Comment p. 80)

It is notorious that Germany and now Japan have carried on such a propaganda within the United States. Japan has its Bureau in New York with voluble and well-drilled talkers to advocate Japan's policies in order to win the United States without the cost of striking a blow. It has on its payroll distinguished journalists, publicists and authors whose business it is to make "the worse appear the better reason"; and, so skillfully is this done, at critical times, that the hired propagandist, already handsomely compensated, is paid a second time as a contributor by well-edited and honorable papers and magazines. I see syndicated letters from a man who won a reputation as a contemporary historian during the war, phrased so deftly that one is half consciously convinced. The highest rates are paid for the less obvious and most subtle arguments.

Space will not permit any detailed account of the contributions made by Valentine Stuart Mc Clatchy, member of Pacific Parlor No. 10 and owner-editor of the Sacramento Bee. Suffice it to say that as a member of the Asiatic Exclusion League, as editor of his newspaper, as member of the Native Sons of the Golden West and as private citizen, Mc Clatchy performed a great service in the exclusion movement.

A further comment should be made of the work of James D. Pholan. When he reached Japan on his tour of the world he was met by representative officials and business men. Having heard of his activities against the Japanese in California, he was questioned concerning them. Pholan did not side step the issue with any suave political diplomacy. He faced them as a true crusader on the field.

I told them that I could understand their idea to expand; that their population was being continually congested with accretions of seven hundred thousand a year; but as a Californian, particularly, I knew that their influx in mass to my State was not only

disastrous but fatal to the interests of the native population; that the Japanese farmer could and did, crowd off the soil the American, whose standards of living and labor were superior, the product of our western civilization, which we were determined to preserve;.....that California passed the anti-alien land law to stop the sale of its soil to Orientals because our farmers, more individualistic than the Japanese, who act in groups and under the direction of their own consuls, have been tempted to sell at high prices and abandon our rural districts for other states or for residence in our congested cities; and that were it not for immigration restrictions and the land law California would become a Japanese colony in twenty years; and finally, that, pursuant to the policy of expansion, the Japanese should go elsewhere. (Phelan, Travel and Comment, P.19)

One of the factors which contributed greatly to the exclusion movement was a decision by the California Supreme Court holding that a Japanese might purchase land intended as a gift for his child to be given to the child when he attained his majority, and that in the meantime the parent might be appointed guardian of this future interest of his child. Thus did legal technicality break down the Alien Land Law as amended in 1920. California did not stand alone in this matter. Similar complaints emanated from both Oregon and Washington. The Grange, the American Federation of Labor and the American Legion joined hands with the Native Sons of the Golden West. In the Spring of 1924 the Congress revised the Immigration Act and among other amendments included one excluding further immigration from Japan. The bill as amended was signed by President Coolidge and became effective on July 1, 1924. At the Grand Parlor Session in that year Grand President William J. Hayes reported as follows,

It is with unbounded satisfaction that we have seen the Congress of the United States incorporate into the bill a clause excluding from entrance in the United States those aliens who are ineligible to citizenship. It seems that the aggravating Japanese problem is about to be solved and the Native Sons of the Golden West are able to claim no small part in bringing about its solution. For years our Order has led in the fight, and when others lost their interest, with our voices and our funds we have kept the movement alive. Its successful termination is one of the best concrete examples we could have of the value of our Order in working for the best interests of our State and Nation.

Following the enactment of the exclusion law the Native Sons of the Golden West have continued activity against the Japanese in three ways, namely, (1) the Order has opposed the granting of an immigration quota to Japan; (2) the Order has opposed granting statehood to Hawaii for the reason that thousands of alien Japanese there under the exclusion law prohibited from migrating from territory to the United States proper could immediately, if Hawaii were admitted move from the State of Hawaii to the State of California; (3) the Order has opposed the dual citizen citizenship situation insisting that Japanese born here be compelled to renounce all allegiance to Japan if they wish to be considered as United States Citizens. Following the outbreak of the present war the Grand Parlor meeting at Hoberg's in May 1942 adopted legislation committing the Order to participate in the movement to bring about a reversal of the case of United States vs Wong Kim Ark decided in 1898 and which held that Orientals born in the United States are citizens of the United States. (169 U.S. 649) The Order's stand is based upon the fact that the parents not being eligible to citizenship and Japan having dual citizenship the children are not citizens within the contemplation of the **Constitution** that the Fourteenth Amendment intended to grant citizenship to American Negroes only and to no other colored races. In addition to this activity the Native Sons of the Golden West and the Native Daughters of the Golden West, from Del Norte, Siskiyou and Modoc on the north to San Diego and Imperial on the south, from the Eastern Sierra to the westernmost extremity of the coast, pledge themselves to give to the United States Government a summation of love, of loyalty, and of devotion in these days of war. For thirty years the Native Sons of the Golden West fought a parliamentary battle against Japan's peaceful aggression. Now they will fight loyally and until the end in the defense of that which all Americans hold dear, their birth right bequeathed unto them by their fathers, the liberty of the individual and the independence of the United States, in her territorial integrity and respected as a world power. May God bless the Army, the Navy and the President in their efforts on our behalf in this war.

Respectfully submitted,
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